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*Frank C. Eisenschenk*

Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE  
STATEMENT  
Examining Group 1616  
Patent Application  
Docket No. UTR-106XC1  
Serial No. 10/541,048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1616  
Applicants : Kimberly D. Gwinn, James Green, Susan Hamilton  
Serial No. : 10/541,048  
Filed : June 29, 2005  
Conf. No. : 6089  
For : Use of Herbs as a Delivery System for Bioactive Phytochemicals

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§1.97 AND 1.98

Sir:

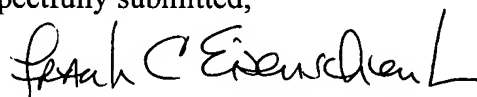
The patent application referred to above was filed in the U.S. Patent Office as a national application under 35 USC §371. Applicants have been notified that a copy of the International Search Report has been made available in the national stage file as indicated on the Notice of Acceptance of the Application Under 35 USC 371 (Form PCT/DO/EO/903). The Notice does not indicate whether copies of the references cited in the International Search Report were received by the Patent Office. Therefore, copies of the references cited in the International Search Report are enclosed for the Examiner's convenience. In accordance with 37 CFR §1.56, Applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

Japanese application No. 2001-320985, cited as F1 on the attached form PTO/SB/08, is written in a foreign language. In accordance with MPEP §609A(3), Applicants are submitting

herewith a copy of the International Search Report from corresponding International Application No. PCT/US03/22272 which was filed on July 15, 2003. Applicants note that although Japanese application No. 2001-320985 is written in a foreign language, an English language Abstract is provided therewith. Applicants respectfully request that the reference be made of record and considered in the examination of the subject application.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,



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FCE/sl

Attachments: Form PTO/SB/08; copies of cited references; copy of International Search Report



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/541,048
				Filing Date	June 29, 2005
				First Named Inventor	Kimberly D. Gwinn
				Art Unit	1616
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	UTR-106XC1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	U1	US-			
	U2	US-			
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	F1	JP 2001-320985	11-20-2001	Takegawa	All	
	F2					
	F3					
	F4					
	F5					
	F6					
	F7					

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/541,048
				Filing Date	June 29, 2005
				First Named Inventor	Kimberly D. Gwinn
				Group Art Unit	1616
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	UTR-106XC1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	R1	HOAGLAND, R.E. "Bioherbicides: Phytotoxic Natural Products" Chapter 7 in <u>Agrochemical Discovery: Insect, Weed, and Fungal Control</u> , ACS Symposium Series 774, Baker <i>et al.</i> , eds., 2001, pp. 72-76, American Chemical Society, Washington, D.C.	
	R2	GRAINGE, M. <i>et al.</i> , <u>Handbook of Plants with Pest-Control Properties</u> , 1988, pp. xi-xiv, 1, 8, 9, 16-18, 27, 28, 30, 35-38, 42, 43, 52-55, 60, 62, 74, 75, 80-82, 99, 100, 103, 104, 117, 138-140, 149, 158, 159, 163, 172, 173, 183, 189-192, 196, 212, 213, 240, 274, 292, and 293, John Wiley & Sons.	
	R3		
	R4		
	R5		
	R6		
	R7		
	R8		
	R9		
	R10		
	R11		
	R12		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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